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Establishment of a nuclear-weapon-free zone in the region of the Middle East

General and complete disarmament

The risk of nuclear proliferation in the Middle East

Letter dated 15 May 2007 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement delivered on behalf of the member States of the League of Arab States at the first session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (see annex).

I have the further honour to request that the present letter and its annex be circulated as a document of the General Assembly, under agenda items 87, 90 and 93.

(*Signed*) Maged **Abdelaziz**
Ambassador
Permanent Representative

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Annex to the letter dated 15 May 2007 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

[Original: Arabic]

Statement of the Arab Group on behalf of the League of Arab States to the first session of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

30 April-11 May 2007

1. I am pleased, on behalf of the members of the League of Arab States, to add my voice to those of previous speakers in congratulating you on your election as President of this important meeting and wish to express our full confidence that your wise guidance and wide experience will enable us to attain in a balanced manner the positive results to which we all aspire, based on the three pillars of the Treaty.

2. The present meeting is of particular importance as it comes at a time when the international multilateral security and disarmament system, of which the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is considered the mainstay, faces increasing challenges. This first meeting of the Preparatory Committee for the 2010 Review Conference follows a number of setbacks in past years, notably, the failure of the previous review conference to reach agreement on specific outcomes, the cessation or reduction of nuclear disarmament efforts and the inability of the international community at the 2005 Summit held during the sixtieth session of the General Assembly to adopt any direction in the field of disarmament, in addition to the public statements by the Prime Minister of Israel regarding his country's possession of nuclear weapons. These and other such developments arouse the concern of the Arab Group and other States parties committed to the principles of international legitimacy, foremost among them the provisions of the NPT.

3. The viability and credibility of any international arrangements depend upon the balanced gains that they achieve for all parties, on the one hand, and the extent of the commitment of their members to their principles and purposes, on the other. Regrettably, there has clearly been a retreat from implementation of the principal obligations under the Treaty and the resolutions of the previous review sessions. Indeed, there has even been the emergence of trends that contradict the fundamental principles of the Treaty, giving rise to doubts about the effectiveness and credibility of the non-proliferation regime and its usefulness for the security of its members.

4. In this context, we wish to put the following observations on record:

(i) Although the universality of the Treaty is the cornerstone of its effectiveness and credibility from a legal and practical perspective, it has not so far achieved universality. More serious still is the fact that the practices of some nuclear States appear to indicate that they are seeking to consolidate this situation by rewarding States that have not yet acceded to the Treaty and cooperating with them in the development of their nuclear programmes, on the one hand, while, on the other hand, seeking to clamp down on States parties

that have concluded and are implementing comprehensive safeguards agreements with the International Atomic Energy Agency (IAEA) and burden them with additional obligations, contrary to the spirit and text of the Treaty;

(ii) The disarmament conference remains, for practical purposes, at a standstill because the nuclear States continue to shirk their obligations under article VI of the Treaty and attempt to interpret that article as upholding their position as nuclear-weapon States and not as obliging them to work towards nuclear disarmament. This has led to a stalemate which endangers the existence of the entire regime. Disarmament and non-proliferation are indisputably two sides of the same coin;

(iii) The reluctance of some international parties to follow up on the implementation of the decisions and outcomes of the previous review sessions and their attempts to discriminate with regard to the extent to which these are binding, even though these very outcomes and decisions are considered an inseparable part of the implementation mechanisms of the Treaty, undermines its credibility. Here we make special mention of the resolution on the Middle East adopted by the NPT Review and Extension Conference of 1995 and point out that were it not for that resolution, the indefinite extension of the Treaty would not have been adopted without a vote.

5. The Middle East region stands as a flagrant example of the Treaty's ineffectuality in achieving security for States parties. It is the only region that has not witnessed real international efforts to establish a nuclear-weapon-free zone, in particular as Israel is the only State that possesses advanced military nuclear capacities that remain outside any international monitoring system.

6. In this context, the Arab States wish to warn of the danger of sustaining the international silence with regard to Israel's nuclear position, as the silence has encouraged it to shift from a policy of nuclear ambiguity to stating that it possesses nuclear weapons, without any response from the international community. It is important to be aware of the danger that this silence poses in terms of the regional reaction and its repercussions on international peace and security.

7. The yielding of some nuclear States to the Israeli view that a comprehensive peace is needed before considering the possibility of eliminating nuclear weapons from the region is a serious error that casts doubt on the usefulness of the NPT as a regime for ensuring the mutual security of States parties. Moreover, it undermines the fundamental idea of the Treaty by supporting the logic of the claim that security is achieved through the possession of nuclear weapons.

The continued reluctance of the international community, in particular the nuclear States, to address the threat represented by the nuclear capacities of Israel and to make serious efforts to universalize the Treaty and eliminate nuclear weapons from the Middle East region undermines the credibility of the Treaty and could push the entire region towards an arms race that would threaten the security of the Arab States and international peace and security.

8. The Arab States call on the international community to apply all of the criteria of the international regime for the non-proliferation of nuclear weapons to Israel, which has not acceded to the Treaty and has not subjected its nuclear installations to the comprehensive safeguards regime. The continuance of preferential treatment and

the use of double standards will serve only to undermine and destroy the pillars of the non-proliferation system and damage the credibility of the Treaty.

9. The Arab States, which have supported the efforts of IAEA to inspect the peaceful nuclear programme of Iran, emphasize the need to sustain dialogue in order to clarify pending issues. Doing so will allow the international community to be reassured with regard to the uses of Iran's nuclear programme and clear the way for Iran to exercise its right under article IV of the Treaty and use nuclear energy for all peaceful purposes, under the supervision of IAEA, without any limitations that would lead to the obstruction of development in that country.

10. Over past decades the Arab States have proved the sincerity of their intentions and their unconditional commitment to the objectives of the international non-proliferation regime as is amply demonstrated by their repeated collective and individual initiatives to eliminate nuclear weapons from the Middle East region. Regrettably, these efforts have met only with obstinacy from Israel and a lack of serious concern from the influential international Powers, which are keen to provide a political umbrella to Israel in various international forums. The most recent example of this was their obstruction, during the fiftieth session of the IAEA General Conference in 2006, of discussion of the item on the nuclear capacities of Israel and the related dangers, which was included on the Conference agenda. We consider that this diminishes the role of IAEA and constitutes a practical retreat from the earlier binding decisions in this regard taken by the General Assembly, the Security Council and the NPT Review and Extension Conference of 1995, not to mention the relevant IAEA decisions.

11. In the light of the above, the Arab Summit at its most recent meeting, held in Riyadh in March 2007, expressed concern with regard to the negative developments in the spheres of arms control and disarmament at the international level, in particular the lack of any practical response to Arab initiatives to make the Middle East a nuclear-weapon-free zone. Arab leaders decided to make a comprehensive assessment of Arab policy in the light of these negative developments.

12. On this basis, the Arab States consider that preparation for practical steps towards achieving the objective of eliminating nuclear weapons from the Middle East is indispensable if positive results are to emerge from this meeting. In this context, we call upon the five nuclear States, in particular the depositary States, to reaffirm their commitment to the Middle East resolution adopted at the NPT Review and Extension Conference of 1995 and to agree during the current review on practical steps for its implementation. We are confident that Member States will understand the pivotal priority given by the Arab States to this important topic.

13. In this context, we emphasize the need to allow sufficient time to discuss the topic and adopt the measures necessary to follow up on the implementation of the resolution on the elimination of nuclear weapons from the Middle East during the work of all sessions of the Preparatory Committee for the 2010 NPT Review Conference, which we hope will adopt practical recommendations in this regard.

14. The priority attached by the Arab States to ridding the Middle East of nuclear weapons does not in any way diminish the importance that they attach to the other topics and issues on the agenda. The Arab States consider that all issues related to the balanced implementation of the three pillars of the Treaty are central and that the effectiveness, usefulness and credibility of the Treaty depend upon them. In this

context, we wish to clarify the positions of principle of the Arab States with regard to these issues, as follows:

I. Disarmament

The Arab States urge the international community, in particular the five nuclear-weapon States, to reaffirm their commitment to this principal objective of the Treaty and their commitment to act to implement the thirteen practical steps adopted by the 2000 Review Conference as a basis for the measurement of progress in this sphere. We also call upon these States to comply with the procedures for the reduction of nuclear weapons, including current arsenals, in a verifiable and irreversible manner, refrain from future production and eliminate stockpiles. We are concerned with regard to recent announcements by some nuclear States concerning the updating of their nuclear arsenals and modernization of nuclear warhead transfer systems, and with regard to points raised by some others concerning new justifications for legalizing the possession and use of nuclear weapons and continuing nuclear cooperation between some of these States and States not parties to the Treaty. We emphasize on this occasion the necessity of reaching a legally binding formula for security guarantees for the non-nuclear parties concerning the use and threat of use of nuclear weapons against them.

II. Non-proliferation

The Arab States, all of which have become parties to the NPT, consider that the real threat to non-proliferation is posed by the fact that the Treaty has not achieved universality, in particular in the Middle East region, and that this situation has created the opportunity for Israel to develop its military nuclear capacities outside any international monitoring system.

The Arab States, which support the efforts of IAEA and affirm the importance of maintaining its effectiveness and credibility, support on principle the strengthening of the comprehensive safeguards regime, the aim of which is to verify that States parties are not using nuclear materials or techniques for military purposes. In this regard, the Arab States consider that the Additional Protocol is an important instrument for strengthening verification. However, it is voluntary and supplementary and its universalization depends upon that of the original documents to which it is a supplement, namely the Comprehensive Safeguards Agreements and the NPT itself, in the first instance. We also consider that burdening non-nuclear States with more stringent obligations without achieving progress in the sphere of disarmament constitutes a clear violation of the desired balance that ensures the effectiveness and credibility of the Treaty.

III. Peaceful uses

The Arab States consider that the right of the States parties to obtain and use nuclear technology for peaceful purposes is an inalienable right under the provisions of article IV of the Treaty and that it is a pivotal point of the Treaty. We therefore have reservations concerning any attempt to reinterpret the terms of the Treaty in a manner that detracts from this right or limits its use. In this context, we call upon the international community, in particular IAEA and the developed nuclear States, to provide the assistance and necessary technical support for all States parties to the Treaty, including the Arab States, which have declared their intention to work to use

nuclear technology for the production of energy in accordance with the provisions of the Treaty. We wish to express our concern over the continuation and increase of limitations on the export of materials and equipment for peaceful purposes to States parties bound by the Treaty and the comprehensive safeguards regime. We affirm the necessity of studying closely the legal and political dimensions of any new initiatives for the establishment of international mechanisms for fuel assurances, in order to ensure that such initiatives are in conformity with the provisions of the Treaty, in particular article IV thereof, in order to prevent these mechanisms from being turned into restrictions that allow certain States to monopolize nuclear technology or impose new conditions on its use for peaceful purposes.

15. In conclusion I wish to reaffirm the complete and unconditional readiness of the Arab States to cooperate with you and the other delegations in order to achieve our joint objectives.